

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PHILIPS RECALLED CPAP,
BI-LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS LIABILITY
LITIGATION**

This Document Relates to:

*All Personal Injury and Medical Monitoring
Cases*

Master Docket: No. 21-mc-1230-JFC

MDL No. 3014

**JOINT MOTION FOR ENTRY OF A SCHEDULING ORDER
SETTING AND/OR REVISING CERTAIN DEADLINES FOR
THE PERSONAL INJURY AND MEDICAL MONITORING TRACKS**

Plaintiffs and Defendants, through their undersigned counsel, jointly move the Court to enter the attached proposed scheduling order establishing the parties' revised, agreed-upon deadlines in the Personal Injury and Medical Monitoring tracks, and in support respectfully state as follows:

1. The parties have discussed and reached agreement on discovery and case management deadlines in the Personal Injury and Medical Monitoring tracks, as set forth in the attached proposed scheduling order.

2. With respect to the Personal Injury track, the parties were directed by the Court at prior Case Management Conferences to attempt to reach agreement on a proposed case management schedule incorporating directions from the Court. The parties engaged in extensive negotiations with the support and further direction of Special Master Katz. Accordingly, the parties propose the agreed-upon deadlines to complete general causation fact and expert discovery, and to file Rule 702 *Daubert* and dispositive motions on general causation, as set forth in the attached proposed order.

3. With respect to the Medical Monitoring track, the parties propose minor changes to the previously submitted and approved Scheduling Order (ECF No. 1911) to align with the proposed Personal Injury track deadlines.

Accordingly, the parties jointly request that the Court enter the attached proposed scheduling order setting certain agreed-upon deadlines in the Personal Injury and Medical Monitoring tracks.

Dated: November 7, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2023, the foregoing document was electronically filed with the Clerk of the Court on served upon counsel of record through the Court's ECF system.

/s/ John P. Lavelle, Jr.
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